

Introduced by Senator Hollingsworth

February 14, 2008

An act to amend Section 8690.6 of the Government Code, relating to disaster assistance, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 1227, as introduced, Hollingsworth. Disaster assistance: Disaster Response-Emergency Operations Account.

Existing law, the California Disaster Assistance Act, establishes, until January 1, 2009, the Disaster Response-Emergency Operations Account in the Special Fund for Economic Uncertainties and continuously appropriates its revenue for allocation by the Director of Finance to state agencies for disaster response operation costs incurred by state agencies as a result of a proclamation by the Governor of a state of emergency.

This bill would delete the termination date for the provisions, thereby extending the existence of the account indefinitely, and would make an appropriation by extending the time during which funds may be continuously appropriated from the account.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 8690.6 of the Government Code is
- 2 amended to read:
- 3 8690.6. (a) The Disaster Response-Emergency Operations
- 4 Account is hereby established in the Special Fund for Economic
- 5 Uncertainties. Notwithstanding Section 13340, moneys in the

1 account are continuously appropriated, subject to the limitations
2 specified in subdivisions (c) and (d), without regard to fiscal years,
3 for allocation by the Director of Finance to state agencies for
4 disaster response operation costs incurred by state agencies as a
5 result of a proclamation by the Governor of a state of emergency,
6 as defined in subdivision (b) of Section 8558. These allocations
7 may be for activities that occur within 120 days after a
8 proclamation of emergency by the Governor.

9 (b) It is the intent of the Legislature that the Disaster
10 Response-Emergency Operations Account have an unencumbered
11 balance of one million dollars (\$1,000,000) at the beginning of
12 each fiscal year. If this account requires additional moneys to meet
13 claims against the account, the Director of Finance may transfer
14 moneys from the Special Fund for Economic Uncertainties to the
15 account in an amount sufficient to pay the amount of the claims
16 that exceed the unencumbered balance in the account.

17 (c) Funds shall be allocated from the account subject to the
18 conditions of this section and upon notification by the Director of
19 Finance to the Chairperson of the Joint Legislative Budget
20 Committee and the chairpersons of the fiscal committees in each
21 house.

22 (d) Notwithstanding any other law, authorizations for
23 acquisitions, relocations, and environmental mitigations related to
24 activities, as described in subdivision (a), shall be authorized
25 pursuant to this section. However, these funds shall be authorized
26 only for needs that are a direct consequence of the proclaimed
27 emergency if failure to undertake the project may interrupt essential
28 state services or jeopardize public health or safety. In addition,
29 any acquisition accomplished under this subdivision shall comply
30 with any otherwise applicable law, except as provided in the first
31 sentence of this subdivision.

32 (e) No funds allocated under this section shall be used to
33 supplant federal funds otherwise available in the absence of state
34 financial relief.

35 (f) The amount of financial assistance provided to an individual,
36 business, or governmental entity under this section, or pursuant to
37 any other program of state-funded disaster assistance, shall be
38 deducted from sums received in payment of damage claims asserted
39 against the state, its agents, or employees, for causing or
40 contributing to the effects of the proclaimed disaster.

1 (g) No public entity administering disaster assistance to
2 individuals shall receive funds under this section unless it
3 administers that assistance pursuant to the following criteria:

4 (1) All applications, forms, and other written materials presented
5 to persons seeking assistance shall be available in English and in
6 the same language as that used by the major non-English-speaking
7 group within the disaster area.

8 (2) Bilingual staff who reflect the demographics of the disaster
9 area shall be available to applicants.

10 ~~(h) This section shall remain in effect only until January 1, 2009,~~
11 ~~and as of that date is repealed, unless a later enacted statute, that~~
12 ~~is enacted before January 1, 2009, deletes or extends that date.~~